

**ZONING BOARD OF APPEALS
MEETING MINUTES
June 2006**

In attendance: Earl Barcomb, Robert Simpson, Dave Holley, Amy Pokorny, Bob Edwards, Larry Wilson, Ken Kirik.

The meeting was called to order at 7:35 p.m.

OLD BUSINESS:

1. Mr. & Mrs. Gerald Byrd (Rt. 146) were in attendance for a Public Hearing regarding a variance to build a garage. The garage will be set back 16' from the center of the road with an 11' side yard variance. They will not have a need to back out onto Rt. 146. Robert Simpson suggested that the Byrd's work with the neighbors to trim back the vegetation for better visibility. A motion was made by Robert Simpson, seconded by Amy Pokorny to accept the Byrd's proposal for a variance.

2. Mr. Tim Fitzpatrick was again in attendance on behalf of the Allen's and Mr. Henness for a continuation of a Public Hearing to reopen the Fox Creek Auction/Flea Market facility on Rt. 443. Mr. Fitzpatrick presented a signed contract to the Board. However, it was noted that this contract was not dated. The Board requested a copy of a dated contract. A discussion was held in regard to the use of this facility. Concern was raised regarding an article that had appeared in the Altamont Enterprise about the Allens' bike business. Mr. Fitzpatrick stated he spoke to Mr. Allen about the article and he says he will not be moving his bike business to this facility. A temporary use permit was issued last year and the Allens ignored the stipulations set forth by the Board and agreed to by the Allens. Subsequent Town enforcement action was taken. Any food service would need to meet Board of Health requirements. There is a side agreement stating Mr. Henness has use of two buildings for one year after the date of sale. A copy of this agreement is needed. Bike shows and use of alcohol are a concern of the Board. The Allen's agreed that they would be willing to ban alcohol and not hold bike shows. The Board is in agreement to allow fundraisers, family gatherings, political events, car shows, tractor shows, church events, breakfasts. Events are to end by 10:00 p.m. There is to be no amplified music. There is parking of no more than 160 vehicles as well as handicapped parking for up to 20 vehicles. The bathrooms are handicap accessible. There are 3 toilets in the ladies room, 2 toilets and 2 urinals in the men's room. Port-a-potty's can be brought in. Larry Wilson will check on bathroom requirements. Auctions will consist mostly of estate sales. Liability insurance is also another concern of the Board and should be a requirement. The Board agreed with the Allens that \$1 million in liability insurance would be adequate.

3. Bob Delaney joined the meeting to discuss enforcement issues:
 - a.) There are illegal occupants in the hangar building who have been given notice to vacate By Bob Delaney. The property owner has initiated the eviction process to remove these tenants.
 - b.) It was noted that there is an abandoned white car on Bell Road and it is now being vandalized. Bob Delaney is looking into it.
 - c.) It was also noted that on Nash Road, just above Knox Cave Road, there appears to be a property owner with an illegal trailer on premises.
 - d.) Best SUP for Knox Country store. There are apparent violations to SUP permit conditions #2 (signs) and #9 (outside eating/drinking). Also, there is a residence/ living quarters that appears to have been constructed in the garage behind the house on the corner of Knox Cave Road and Rte 146 without a building permit and in violation of the zoning ordinance.
 - e.) Rivenburgh SUP for Lucky Tavern. There is an apparent violation to SUP permit condition #12 (residential buffer zone/screening).

A motion was made by Larry Wilson, seconded by Dave Holley to adjourn the meeting at 9:40 p.m.

Respectfully submitted,

Carol Barber
Recording Secretary